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Public Hearing on Mayor Bowser's FY24 Budget Request

Submission to the Council of the District of Columbia Committee on Judiciary and Public Safety

Testimony of Kirra L. Jarratt The District of Columbia Bar Foundation April 13, 2023

Introduction

Chair Pinto and Members of the Committee, my name is Kirra Jarratt. I am the Chief Executive Officer of the DC Bar Foundation (DCBF), the leading funder of civil legal aid in the District of Columbia. Thank you for the opportunity to testify today.

I want to thank the Council for trusting the DC Bar Foundation to administer Access to Justice Initiative funds since 2007. Our mission is to transform the civil justice system so that District residents who are financially disenfranchised or in otherwise vulnerable situations have a fair and equal legal experience.

As the leading funder of civil legal aid in the District, we prioritize collaborative and community-centered work. The pandemic forced us to change how we deliver services. Over the last three years, we have been able to invest in initiatives focused on well-being and public safety, collaboration, and racial equity. These changes have allowed us to reach District residents with the most urgent needs more efficiently.

The Council's investment in civil legal aid significantly impacts the individuals and families who benefit from the services, but it also has other social and economic returns¹. These benefits include savings in community support costs, reductions in community medical care expenses, housing and support costs for families experiencing homelessness, community law enforcement, court systems, and other government agency costs, and additional community and income and taxation revenues from benefits and programs.

¹ Jurisdictions across the country have done studies that show the value of investing in legal aid services and the impact of a dollar invested in civil legal aid, resulting in immediate and long-term financial benefits. In Michigan, *the 2022 Social Economic Impact and Social Return on Funding Investment* report highlight how every dollar invested in the state's civil legal aid services during 2019, and 2020 delivered \$6.69 in immediate and long-term consequential financial benefits. *2022 Social Economic Impact and Social Return on Funding Investment*
https://www.courts.michigan.gov/4a9445/siteassets/court-administration/resources/mi_sroi_final-opt.pdf

For FY24, the DC Bar Foundation is asking for \$31.689 million—level funding from FY23—to continue addressing these issues in the District. This funding will support the following:

- (1) Access to Justice Grants Program (\$20.339 million), which will fund Access to Justice Grants, prevent eviction filings, and advance the development of Coordinated Intake and Referral (CIR);
- (2) Civil Legal Counsel Projects Program (\$11 million); and
- (3) DC Loan Repayment Assistance Program (\$350,000)

My testimony today will briefly highlight our FY24 Access to Justice Initiative request and the outcomes we are seeing because of increased funding from FY22 and FY23, such as strengthened public safety and well-being, increased collaboration to transform the delivery of services, and promoting racial equity and racial justice.

I. FY24 Funding Request

The DC Bar Foundation's FY24 budget request of \$31.689 million will allow us to build on the work we have already done. Mayor Bowser's budget would cut Access to Justice funding by \$18 million from last year. That cut means we could not fund essential services and supports like housing, employment, health and disability, family law, and civil issues in criminal matters. Our request will support the investments we continue to make in ensuring the civil justice system in the District is equitable for all DC residents. The breakdown of our funding request is as follows:

A. Access to Justice Request (\$20.339 million)

In 2007, the DC Bar Foundation began awarding grants under the newly-launched Access to Justice Program (ATJ) when the DC Council designated DCBF as the administrator. ATJ supports legal assistance in three categories: a) underserved areas, b) housing-related matters, and c) a shared legal services interpreter bank.

For FY23, we awarded \$16.8 million in Access to Justice Grants to 33 legal aid organizations. Our FY24 request is \$20.339 million for the Access to Justice program.

We will use this funding to build upon the Council's \$1 million investment in the **Coordinated Intake and Referral (CIR) System**. This **user-centered system** will transform how residents access civil legal aid. With more than 60 legal aid providers in DC, navigating the civil legal aid system without knowing where to turn often forces DC residents to abandon the process without ever making it to the door of a legal services provider. We are working closely with the legal services community and other stakeholders to build a reliable system that can be accessed through a single phone number or website.

In addition to the CIR System, this funding will allow us to:

- Meet the increasing demand for civil legal services in communities of highly concentrated poverty.
- Expand representation in housing matters.
- Grow the capacity of the legal interpreter bank, providing more translation services for specially trained interpreters.
- Support network- and community-building efforts to further develop new best practices to help transform how we deliver civil legal aid in DC.
- Strengthen relationships outside the civil legal aid community, working more diligently with other providers and stakeholders who can help us reach more people who can benefit from our grantees' services.
- Continue our evaluation practices so that the services provided to the community are consistent with what they believe is necessary.

B. Civil Legal Counsel Project Program (CLCPP) Request (\$11.0 million)

The DC Council established the Civil Legal Counsel Projects Program (CLCPP) through the Expanding Access to Justice Amendment Act of 2017 and designated the DC Bar Foundation as the administrator. Since 2018, the Foundation has awarded \$31.4 million to DC legal aid organizations providing representation in eviction defense proceedings for District residents with low incomes.

Our FY24 request is for \$11 million for CLCPP.

Our grantee organizations are seeing an increased need for housing services. The pandemic continues to have a ripple effect throughout the City for many residents with low incomes. Eviction filings are up at the DC Superior Court, and residents have a greater need for legal services to avoid eviction. We address this problem through eviction diversion efforts focusing on early outreach. Through partnerships with community-based organizations, there is a greater capacity to reach tenants at risk of displacement as early as possible.

For FY24, the \$11 million funding will be used to:

- **Support the capacity of our grantees in addressing eviction matters.** The number of DC residents who can access services and benefits will decline as government assistance programs are reduced. It will be imperative that our grantees can fill the gap.
 - The number of eviction cases will rise when programs like the Emergency Rental Assistance Program (ERAP) are no longer available to DC residents with low incomes. Our grantees' work to prevent evictions will become increasingly important.

- **Coordinate canvassing efforts to implement efficient and effective strategies.** We see an unmet need to coordinate efforts around door-knocking and canvassing to avoid duplication of effort.
- **Continue to support cross-sector collaborations like the Eviction Prevention Co-Leads group.** This group emerged from the White House Prevention Summit in 2021, and DCBF remains a co-convenor of the group in conjunction with the Greater Washington Community Foundation. Cross-sector collaborations are instrumental in solving real-time eviction cases and rental assistance programmatic issues.
- **Plan to work on issues related to foreclosure prevention.** Our grantees anticipate there will be an increase in work related to foreclosures. They project that the inability of DC residents with low incomes to meet housing payments will eventually be reflected in home ownership. Given the uncertainty of the US economy, we anticipate a need to expand our support in the area of foreclosure prevention.
- **Address issues related to unhealthy housing concerns.** Our funding will support other housing strategies to keep DC residents in safe and healthy housing environments, specifically focusing on environmental health hazards and adverse housing conditions.

C. DC Poverty Lawyer Loan Repayment Assistance Program (DC LRAP) Request (\$350,000)

The Council established the DC Loan Repayment Assistance Program (DC LRAP) in 2007. It supports legal aid attorneys making less than \$90,000 and living in DC. The program provides these attorneys with a one-year interest-free forgivable loan of up to \$12,000. Retaining skilled lawyers at legal aid organizations allows more DC residents to get the assistance they need from qualified legal professionals. Since 2007, the Foundation has forgiven more than \$3 million in loans from more than 300 legal aid attorneys. Recipients typically have an average debt of \$200,000 and make roughly \$69,839 annually. These loans help alleviate some of that financial burden.

II. Outcomes from Increased Funding in FY22 and FY23

The increased funding the Foundation has received has allowed us to expand investments in high-need areas. In particular, from FY22 to FY23, the Foundation was able to increase funding in almost every issue area, with substantial increases seen in housing (20%), family law (70%), and employment law (65%). Moreover, the Access to Justice Initiative helps residents in every ward in this City. In particular, residents in Wards 7 and 8 — the most financially disadvantaged wards in our City — are the most

served with these funds. Being able to increase our investment in these areas has been impactful in several different ways.

A) Strengthened public safety and community well-being

The Access to Justice Initiative offers essential services to District residents to keep them safe, healthy, housed, stable, and well. While we continue to focus on helping individuals needing civil legal aid support, these funds also positively impact public safety. Karen A. Lash, a former DCBF board member and nationally-recognized civil legal aid expert, wrote a paper titled *Executive Branch Support for Civil Legal Aid* (2019), where she said:

"Having access to legal aid can make the difference between successful government programs and ineffective ones, whether working to combat domestic violence and human trafficking; prevent homelessness and predatory lending; moving children of opioid-addicted parents from foster care into permanent families; or helping job trainees with criminal records gain a second chance to succeed."

Being able to address issues such as domestic and gender-based violence, recidivism, hate crimes, health, and other areas, we see an upward trend in increased public safety and well-being.

Some of these public safety highlights include the following:

- 1) **Reduce recidivism by helping formerly incarcerated persons transition back into the community.** When we can help a formerly incarcerated person get a job after their release, we give them the opportunity to have employment and housing, decreasing their chances of returning to jail or federal prison. It also has other positive impacts, such as reducing how much the City spends responding to crime and minimizing emotional, financial, and mental stressors.
 - One of the programs we fund in this area is the [Community Family Life Services](#)—Women's Reentry Legal Services. Community Family Life Services combats recidivism by helping formerly incarcerated women reenter society with the tools and confidence to be productive community members. Clients receive legal support in matters such as child support, custody over minor children, consumer issues, divorce, expungement, name change, and probation issues. Community Family Life Services helps clients get the services and benefits they need for a better life path and keep them from returning to criminal activity.

- 2) **Reduce economic risk by providing District residents with resources and legal assistance to help protect their financial well-being.** By providing legal assistance and representation to District residents with low incomes in debt collection and similar cases, we help protect their limited income and assets. In addition, connecting DC residents experiencing homelessness to legal services so they can gain access to housing, employment, and Social Security benefits helps them achieve safety and security.
 - The Foundation funds [University Legal Services—Housing Advocacy for People with Psychiatric and Developmental Disabilities](#). This project supports individuals facing issues accessing housing in the District due to mental illness or behavioral challenges. These particular legal services help prevent individuals with psychiatric and developmental disabilities from becoming homeless or victimized.

- 3) **Reduce domestic and other forms of gender-based violence by providing support and services.** Through trauma-informed legal, advocacy, and support services, survivors of domestic violence and their families can more easily achieve safety, stability, and independence. Other services, such as legal services for survivors of sex trafficking, help to reduce further exploitation.
 - One of the Foundation's notable grantees in this space is [The Safe Sisters Circle](#), which provides free, culturally specific, trauma-informed, and holistic legal services to Black women, girls, and adolescent survivors of domestic violence and sexual abuse living in Wards 7 and 8.

The programs that DCBF supports with ATJ funding are vast and cover many different areas that each work together to help us create an environment where people feel safe in their homes and allow them to contribute to their communities in positive and healthy ways. This plays an integral role in establishing and building well-being. Since the pandemic, the Foundation has been more keenly focused on the importance of well-being and its role in transforming civil legal aid to be fair and equitable. Having access to what is required to balance and weather challenges improves community well-being and creates a safer home and public environment.

Community well-being focuses on the full range of needs and experiences individuals and communities require for health and hope, including social connectedness, financial stability, safety, and meaningful access to relevant resources like food, housing, clothing, sleep, and more.

In FY23, the Foundation increased grants by more than \$6 million. These funds directly impact public safety, well-being, and the health of DC's most vulnerable and marginalized residents. Having greater access to the resources they need allows them to create stability for themselves and their families, creating a better quality of life for the whole community.

B) Increased collaboration to transform the delivery of services

The DC Bar Foundation continues to prioritize building networks to create efficiency and improve access to justice and other services for District residents. It is critical that the civil legal aid community, in conjunction with social services providers, funders, and other key groups, work together to eliminate the barriers that residents often face when trying to access civil legal aid.

Our ability to work together across sectors maximizes the impact we can make and how and where we deliver services. The increased funding in FY22 and FY23 provides ongoing opportunities to collaborate, promote collective learning, and improve best practices across organizations.

- 1) **Convened a Transformations Network.** The DC Legal Aid Transformations Network (DC LATN) continues to grow. Launched in June 2021, this network focuses on reimagining a more equitable civil justice system in DC. It brings together more than ten types of stakeholders, including social services providers and legal services organizations, to meet quarterly and strategize how to change our delivery models throughout the City. As the group expands, we continue to focus on our top priority, launching a Coordinated Intake and Referral System. In February 2023, DCBF released results from the most recent DC LATN mapping survey, identifying all of the stakeholders in the network, how they are connected, and what can be done to expand connections through our work.
- 2) **Spearheaded a user-centered Coordinated Intake and Referral System.** The DC Bar Foundation began working on a Coordinated Intake and Referral (CIR) system more than two years ago. Since then, we have formed partnerships integral to developing a user-centered system, heard directly from end users, and built the technology to drive this system. The goal of CIR is to make it easier for DC residents to access help from the more than 60 legal aid providers in our City through a single phone number or website. This system will not replace existing intake structures at legal services organizations but, instead, serve as a complement.

The system's benefit is that it will eliminate the need for clients to reach out to multiple providers before finding the help they need. DC's civil legal aid network is vast and can be a complex system to navigate. To help put this into context, consider that jurisdictions with a similar number of residents as the District of Columbia, such as Alaska, Vermont, and Wyoming, each have five to seven legal services organizations. In the District of Columbia, there are approximately 60 legal services organizations. With so many providers, finding the right assistance is confusing, creating additional burdens and barriers for people already experiencing life-altering events.

The Foundation and our partners have made significant progress in the development of the CIR system in the following areas:

- **Compiled input and feedback on the design of CIR from DC residents.** In the first quarter of 2022, we convened 13 focus groups and heard from 72 community members. During these sessions, they shared the challenges they have experienced trying to access legal aid, thoughts on what the CIR System should look like to make the intake process easier, and how important it is for their humanity and dignity to be recognized and respected.
 - This is a user-centered system, so we have prioritized including the voices of the people who might need to use the system in the future. As we further develop the system, their feedback will continue to be a critical factor in our decision-making.
- **Performed ongoing evaluation to inform the design of the CIR System.** The Foundation released two key Coordinated Intake and Referral reports in August and September 2022. One report was a comprehensive overview of the feedback from DC residents. The other was a detailed overview of legal services and allied organizations' feedback. These reports shape how we build the system and inform how and where we need to do community outreach so that all District residents know about this system. We have provided links to the reports for your convenience [here](#) and [here](#).

The DC Bar Foundation also secures the support of law firms and individuals to augment the public dollars that support civil legal aid and strengthens the capacity of legal aid organizations to use pro bono attorneys to expand their impact.

C) Trained grantee organizations on racial equity and racial justice

The Foundation prioritizes racial equity and racial justice and has taken several steps to more clearly define these terms and the role DCBF plays in upholding these standards. *Racial justice* is the transformation of society to eliminate racial hierarchies. It is the fair systemic treatment of people of all races resulting in equal opportunities and outcomes regardless of one's race, ethnicity, or the community in which they live. *Racial equity* is the pathway to racial justice, including measurable markers indicating that, increasingly, everyone has what they need to thrive, no matter where they live or how they identify.

In our newly adopted organizational core values, we intentionally included "We Stand Against Anti-Black Racism" to ensure this remains at the forefront of our internal and external decision-making. Our grants support the well-being of residents, especially in Wards 5, 7, and 8, where nearly two-thirds of Black families in the District reside. Other aspects of DCBF's racial equity journey include:

- **Provided racial equity training.** We offered a six-part Racial Equity 101 training with 19 participating grantee organizations. We continued our partnership with Service Never Sleeps to provide this training to the grantee community. DCBF also launched the initial Racial Equity 2.0 training series, with 26 people from 14 organizations participating in a five-part training.
 - These training programs and holding these conversations around race are an integral part of eliminating systemic biases from the justice system. The steps that DCBF is taking move us closer to achieving racial justice and racial equity within civil legal aid.

D) Focused on Upstream Solutions

Upstream solutions refer to early outreach to District residents to help address issues before they become crises. This is particularly true in our grantees' work with housing. Six DCBF grantee organizations — Bread for the City, DC Bar Pro Bono Center, Legal Aid Society of the District of Columbia, Legal Counsel for the Elderly, Neighborhood Legal Services Program, and Rising for Justice — have worked together for five years through the Civil Legal Counsel Projects Program (CLCPP). They have established the Eviction Diversion Project. The project aims to prevent evictions by reaching tenants at risk of displacement as early as possible and connecting them with the support and services they need to stabilize their housing and avoid an eviction filing.

The results made possible with last year's funding include the following:

- From August 2019 through September 2022, CLCPP grantees have closed 6,777 evictions and voucher termination cases, providing legal assistance to 5,661 DC residents with low incomes.
- Canvassers knocked on 9,831 doors.
- Outreach letters were sent to 12,590 residents facing a potential eviction.
- There were 289 Know Your Rights events, with 5,944 attendees.

E) Encouraged continuous learning and improvement

The Civil Legal Counsel Projects Program is a grant program funded by the Access to Justice Initiative and administered by the DC Bar Foundation. CLCPP grantee organizations have become a well-integrated eviction defense network to address systemic housing issues. These partners communicate and share information, coordinate their organizations' activities, and collaborate on efforts to implement changes to the civil legal aid system.

One of those efforts is the Landlord Tenant Legal Assistance Network (LTLAN), a telephone-based coordinated intake and referral system. LTLAN allows clients who have low incomes to call or use an online intake form to connect with an attorney from a CLCPP partner. The LTLAN is an accessible point of entry for DC residents.

DCBF released the ***Landlord Tenant Legal Assistance Network (LTLAN) Customer Survey Study Report*** in February. The results are encouraging:

- 1) **The LTLAN is a valuable community resource.**
 - Of the 185 survey respondents, nearly 90% of participants indicated that they would use the service again.
 - 89% of participants indicated they would tell others facing eviction to contact the LTLAN for legal services.
 - Over 40% of participants contacted the LTLAN for legal representation and information, even though they were not facing an active eviction case.
- 2) **Customers felt positive about their interactions with LTLAN.** A timely response is important to customer perceptions of the LTLAN. Customers who received a call back from an attorney within 48 hours felt more positive about their LTLAN experience and were more likely to recommend the LTLAN to others.
- 3) **LTLAN was easy to find and access.** 76% of participants agreed that the LTLAN was easy to find, and 86% felt comfortable accessing services remotely.
- 4) **LTLAN made it easier than before to find help.** Nearly two-thirds (65%) of participants found the LTLAN intake process easier than they had done to find legal help in the past.

As the DC legal aid community explores the development of a citywide coordinated intake and referral system, the LTLAN can serve as a model for designing an effective process that expands access to justice and serves DC residents who the legal system has often marginalized.

F). Created a model for the nation

DC's Legal Interpreter Bank is a shared language resource that assists legal service providers using trained community legal interpreters. It is one-of-a-kind and serves as a model for other jurisdictions. DCBF grantees Ayuda and African Communities Together have worked jointly to help launch an interpreter bank in New York City that is modeled after DC's Interpreter Bank. The NYC Council is investing \$3.8M to launch the interpreter bank and cultivate interpreters.

The DC Interpreter Bank, managed by Ayuda, continues to benefit the legal services community. Over the last year, it received 240 requests for services, and it was able to fulfill more than 200. In addition to interpretation services, it also provides training. The session "Language of Justice" was held for spoken language interpreters, and 18 interpreters are joining the Community Legal Interpreter Bank in 2023.

In FY23, DC's Interpreter Bank received approximately \$618,000 in ATJ funding. This represents an 18.8% increase in funding required to help alleviate the Bank's needs. Despite this increase, Ayuda reports that the needs cited below prevail.

- The rising cost of living and inflation has caused interpreters to request higher pay. Some interpreters haven't seen an increase in rates since 2008.
- World events increase the need for interpretation services in languages such as Dari, Farsi, Pashto, Arabic, Amharic, Tigrinya, Yoruba, and Oromo. The rising demand for these services often necessitates outsourcing to other nonprofits at higher rates than what Ayuda would pay its interpreters.
- The cost of language interpretation services has increased significantly during the pandemic, with some bills doubling. For example, Ayuda's language line calls averaged \$3,000/month before the pandemic, and now it averages \$10,000/month.
- The need for in-person interpreters at clinics and document translations also adds to the expense.
- There is a demand for interpreters who speak less common languages (e.g., Dari, Farsi, Pashto), and it can be difficult to predict which languages will be needed.

Conclusion

The DC Bar Foundation believes that transforming the civil legal aid system so that every DC resident, regardless of income or background, has access to fair and equitable services is possible. Thus far, we have made measurable and meaningful changes because of the funding we receive from the DC Council. Our funding request of \$31.689 million for FY24 will allow us to continue to build and implement systems that will make civil legal aid accessible for DC's vulnerable and marginalized populations.

Further, we know that for our work to truly make an impact, we must include the voices of the people who need civil legal aid services. Centering their voices as we build a coordinated intake system or getting their feedback on the benefits of the Landlord Tenant Legal Assistance Network is one of our top priorities. Including these vulnerable populations in these conversations shows support and respect, a constant theme among participants in our feedback surveys and focus groups.

We cannot do this work without our grantee organizations, the civil legal aid community, and the stakeholders with similar missions. The funding we receive from the Council has allowed us to accomplish some significant milestones, and for that, we are grateful. But as we work on expanding, we will need your continued support to ensure we can meet the needs of the many DC residents with low incomes who are experiencing life-altering crises.

Thank you for allowing us to administer Access to Justice funds, and we hope to continue to work in partnership with the Council to fulfill the goals we have presented in this budget request.

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